

## **1. Call to Order**

Mayor Jenny Halverson called the meeting to order at 6:30 p.m.

## **2. Roll Call**

Present: Mayor Jenny Halverson and Councilmembers Ed Iago, John Bellows, Dick Vitelli, Dave Napier, Anthony Fernandez and Bob Pace.

Others: City Manager Ryan Schroeder, Public Works and Parks Director Ross Beckwith, Police Lt. Brian Sturgeon, Community Development Director Jim Hartshorn, Finance Director Char Stark, Attorney Korine Land and City Clerk Chantal Doriott.

## **3. Pledge of Allegiance**

## **4. Adopt the Agenda**

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to amend the agenda as follows:

- Remove item 11.D. for further staff work. This item will be brought back at a future meeting;
- 10.E. the assessment hearing will be continued to August 14, 2017; and
- Item 11.B. Minor work orders for Robert Street was moved to the Consent Agenda.

All members present voted aye. Motion carried.

## **5. OCWS Briefing**

Mayor Jenny Halverson gave a brief outline of items discussed at the open council work session held prior to this meeting:

- City Goals and Initiatives
- High level ISD 197 discussions for a mutual facility needs that might warrant future discussion
- Planning efforts for Dodd/Smith improvements. There will be an open house at Doddway Shopping Center on Saturday, July 29, from 5:00 to 7:00 p.m.

## **6. Citizen Comments**

Jim McKie, 222 Curtice Street, asked Council to consider adopting a proclamation or resolution making a statement and putting into the record that the City of West St. Paul will never consider itself as a sanctuary city. Council made no comments. The City attorney added that the presentation and request was a little vague but the Council cannot approve something that is contrary to state or county law. The committee of adjustment would have to provide written recommendation. A few additional comments were made.

## **7. Council Comments**

Clpn. Iago said it is the season for peddlers and he wanted everyone to know that these individuals need to have a city solicitor license unless they are from a religious organization or 501c3 they need a city issued license. You can always call City Hall to see if they are an authorized dealer.

Clpn. Fernandez reminded everyone that on August 22 – 23 the WSP Police department will hold the annual Safety Camp. There will be additional information provided on the City website and Facebook page.

## **8. Proclamations, Presentations and Recognitions**

### **A. Donations**

Lt. Brian Sturgeon gave an overview of a Canine Donation. The police department has received a donation of \$300 for the department's police canine program. The donation came from Twin City Tanning Company, LLP, out of South St. Paul, which is a former employer of our canine handler, Officer Gobely. The police department is certainly grateful for Twin City Tanning's generosity and their support of our canine program.

Motion was made by Clpn. Bellows and seconded by Clpn. Vitelli to adopt Resolution No. 17-57 and graciously accept the donation from Twin City Tanning Company in the amount of \$300.00 for the Canine Program. All members present voted aye. Motion carried.

## **9. Consent Agenda**

- A. Council Report - Rental Licensing
- B. June 2017 Financial Reports
- C. Council Report-City Licensing
- D. Previous meeting and work session minutes of July 10, 2017
- E. List of Claims as prepared
- F. Resolution No. 17-54 Declare Items as Surplus
- G. Amendment to an Encroachment Agreement for 1190/1200/1214 Robert St.

Motion was made by Clpn. Napier and seconded by Clpn. Iago to approve the consent agenda items as presented and listed above. All members present voted aye. Motion carried.

## **10. Public Hearing**

### **A. Application for a Conditional Use Permit to allow an Accessory Structure in the B4, Shopping Center Zoning District at 1445 Robert St. - Menards**

Community Development Director Jim Hartshorn gave an overview of a request from Menards for a Conditional Use Permit to allow an Accessory Structure in a B4 – Shopping Center District at 1445 Robert Street South. Due to a company-wide expansion/remodel effort, the West St. Paul Menards has submitted an application to expand upon the existing (legal non-conforming) storage building to the rear (West) of the primary structure. This would enclose an additional 13,938 sq. ft.; this space is currently being used as outdoor storage and would continue to serve as such. The total square footage of the existing building when combined with the proposed for the rear (West) building would grow to 26,867 sq. ft.

The public hearing opened at 6:50 p.m.

Mr. Edwards from Menards appreciates the support of staff. They are excited for this new expansion and thanked Council for their support.

The public hearing closed at 6:51 p.m.

Motion was made by Clpn. Pace and seconded by Clpn. Fernandez to adopt Resolution No. 17-55 approving the Conditional Use Permit for Menards to allow an accessory structure on site as presented. All members present voted aye. Motion carried.

### **B. Application for a Conditional Use Permit to allow an Auto Detailing Business in the B4, Shopping Center Zoning District at 1676 Robert St. - William L. Charles**

Community Development Director Jim Hartshorn gave an overview of a request from William L. Charles for a Conditional Use Permit to allow an Automotive Detailing business in a B4, Shopping Center District at 1676 Robert Street. The applicant is proposing to lease 1,680 sq. ft. of garage space located at the southeast corner of the shopping center, directly behind Pho Saigon restaurant. The space has been vacant for a number of years due to zoning restrictions. Council recently amended the ordinance to allow Automotive Detailing through a Conditional Use Permit. The applicant stated that they detail anywhere from 4-10 cars daily, primarily for auto dealerships. Per agreement with the shopping center owner, they plan to utilize the 10+ stalls at the rear of the building for vehicle storage and will use the four bays for overnight parking. This is not visible from Robert Street.

Mayor Halverson asked where this would be located. It is off Robert Street and not located on Robert Street.

The public hearing opened at 6:52 p.m.

Mr. William Charles said is glad this issue has come before the Council. He has been waiting for a long time for consideration and approval of his request. He thanked the Council for their support.

The public hearing closed at 6:53 p.m.

Motion was made by Clpn. Napier and seconded by Clpn. Fernandez to adopt Resolution No. 17-56 approving a Conditional Use Permit to allow automotive detailing in a B4 District at 1676 Robert Street for William Charles as presented. All members present voted aye. Motion carried.

### **C. Proposed City Code Changes, Second Reading**

Police Lieutenant Brian Sturgeon gave an overview. During the last several Open Council Work Sessions (OCWS) the Council discussed several proposed City Code changes. Changes were suggested by both staff and residents alike. They are being considered to make City Code more understandable and/or to help create efficiencies when applying City Code.

Because some of these proposed changes affect permit holders and specific license types, letters have been sent to current holders of special permits (exceeding the number of animals) and alcohol licensees.

The first reading of these proposed code changes occurred at the Council's July 10, 2017 Council meeting. At that time, there were no comments or questions. Since this document has been in front of the Council several times, I have condensed the proposed changes to a bullet-point format. In addition, the draft "ordinance language," which has been prepared by the City Attorney, has been modified some since the Council has reviewed this document. The difference is with the summary and the effective date for rental license renewals. Since those license types have a rolling calendar, Community Development wanted to have time to notify renewals of their new due dates and not surprise them with it immediately upon publication of the ordinance.

#### **General Licensing Application Changes [City Code 110.03]**

- a) The City will not accept or hold onto a license application if no such license is available at the time of application.
- b) The City will not automatically refund fees for work performed in processing an application even though an application may be denied.
- c) The renewal date for a license will be 60 days prior the license expiration (November 1st) instead of the current 30 days (December 1st) requirement.
- d) Failure to submit a renewal prior to the license expiration may jeopardize the applicant's ability to renew the license. Licenses not renewed 30 days after the license has expired will be considered surrendered and available to another applicant.
- e) In-store digital video surveillance systems will be a requirement for all alcohol and tobacco licensees.

#### Liquor Licenses

- a) Off-sale liquor licenses will no longer be transferable.
- b) The limit on off-sale liquor licenses will be removed; currently these license types are limited to six.
- c) Category 2 license types (aka: "Taverns") will be limited to two (down from the current three).
- d) Off-sale liquor, Sunday sales – Since City code adopts state statute language, off-sale liquor establishments may sell alcohol on the state's newly adopted Sunday hours.

#### Special Animal Permits [City Code 90.04(B)]

- a) Annual Fee: for 2018, the initial license fee for a Special Animal Permit will remain at \$200. The renewal fee will be \$100 (this is a new fee amount).
- b) Allowable Number of Chickens without a Special Permit will be changed from two to four.
- c) Special Permit Notification Requirement: Upon the initial application of a Special Permit, the City will continue to conduct a 350-foot notification to the surrounding residents. However, this notification requirement will become optional for the City for Special Permit renewals.

#### Parking, Prohibition, Mailboxes

- a) City Code language will be added to make it a violation to park a vehicle within ten feet of a mailbox.
- b) Signs, Special Parking Restrictions to be considered.
- c) Language will be added to City Code to articulate the process for applying for and responding to requests for specialty signs such as deaf child or personal handicapped parking signs.
- d) A fee for specialty signs will be considered.

Mayor Halverson asked about the restrictive setback – this will be forthcoming.

Clpn. Fernandez said regarding Tavern – now we have two licenses that are in use; there are three total available. Why not allow another business the opportunity to come in. Mayor Halverson said the name Tavern implies something different than what our ordinance states; their food selection/offering defines the license type.

The public hearing opened at 6:58 p.m.

Diane Cassatt, 34 Langer Circle, concerns about the parking prohibition. They are on the corner of a circle and there is limited area to park. They have teenagers with one driveway. There is one car parked in front of their house. They are concerned about the mail service delivery. Her concern is 10 ft. away from a mailbox – it would be 20 feet total and that's a lot of parking you are restricting. She is also concerned that many people do not know about this restriction. It could be an excessive restriction for people. She is not sure why this is being considered and if there are not any other tools the police department could use. After she read this she doesn't think it will be enforced. She is concerned they will lose their parking spot and mail service.

Police Lt. Sturgeon said the post office has made complaints and brought this forward. Due to those complaints, and those complaints that have been continual, we are recommending some changes. Clpn. Bellows asked Lt. Sturgeon if the only time this would be enforced is if the person who owns the mailbox makes a complaint. Officers can or cannot enforce it. There will not be "mailbox patrol". There are certain areas that receive multiple complaints. Clpn. Iago said part of this was brought on by complaints in certain areas where we have apartments across from residents and hence they did not get their mail. If you block your own mailbox, you might be cited, or you might not get mail. This change is for the city as a whole.

The public hearing closed at 7:06 p.m.

Motion was made by Clpn. Vitelli and seconded by Clpn. Napier to adopt Ordinance No. 17- 10 amending sections 72.05(A), 90.04(B), 90.08(A) & (B), 110.03(A), 110.03(A)(7)(b), 110.05(A), 110.10, 112.03, 112.07 regarding various licensing and permitting provisions as presented. All members present voted aye. Motion carried.

#### **D. On-Sale Liquor License Fee Increase, Second Reading**

Police Lieutenant Brian Sturgeon gave an overview of a report that was completed years ago on the city license liquor fees. At that time they decided the city would increase fees to match recovery costs. The costs have not been implemented due to financial response and hardships. Staff is proposing to increase the liquor license fee from \$7,500 to \$8,000. A letter was sent to the current 13 liquor license holders and public hearing noticed in the legal newspaper. This is proposed to go in affect for 2018.

Clpns. Iago, Napier and Pace do not believe there is support of this liquor license fee increase. They are in favor of giving business owners another year due to Robert Street improvements.

The public hearing opened at 7:10 p.m.

Mr. Jerry Carbone of Carbone's, located at 55 Wentworth Avenue, said he does not support a liquor fee increase and he appreciates that Council will not be voting on this measure.

Ms. Cheryl Fink, manager of Dunham's, said she is appreciative that Council is not in favor of increasing the liquor license fee. They have endured hardship with the Robert Street project last year and now the Oakdale/Wentworth Roundabout project.

The public hearing closed at 7:12 p.m.

There was no action taken on this item. There was no motion or vote on the liquor license fee increase for 2018.

#### **E. Final Assessment Hearing for the 2016-2017 Robert St. Sidewalk Snow and Ice Removal**

Notice of the hearing was published in the July 9, 2017 edition of the South West Review. However, notices of the hearing were never sent out to the property owners. The hearing will be continued until August 14, 2017, and notices will be sent out to property owners on July 25, 2017.

## **11. New Business**

### **A. Temporary Rental License - 828 Deppe St.**

Community Development Director Jim Hartshorn gave an overview. Applicant Lynn Nguyen made the request for a temporary rental license after receiving a compliance letter from the City in February; the letter stated that the property was a suspected rental and notified Ms. Nguyen that all rental properties must be licensed, however there were no more available for the block in which her rental property resided. Upon confirmation that the property was indeed serving as a rental, City Staff allowed the renter 60 days to relocate.

Ms. Nguyen requested a temporary license as an exemption from the rental density ordinance in Mid-March; she stated that she had been renting the property to a friend of hers since July of 2016 and was unaware that the City required a license for rental properties. She also states that the family that is renting the property is a group of upstanding citizens of West St. Paul with the mother working at the local TCF Bank branch and their two children currently attending a local school.

According to the Dakota County website, the property is a non-homesteaded property that has been owned by Ms. Nguyen since 2008.

After a delay in the application process, primarily due to a backlog of inspections, the applicant has successfully passed the required background check, property inspections (both housing and sewer inspections), has paid all necessary fees, and has hired a third party rental management company as required by ordinance

According to the Rental Dwelling Ordinance, 150.037(L)3, if the number of rental properties meets or exceeds the permitted number of rental properties per defined block, a property owner may request a temporary license to allow an additional rental property for that block.

Conditions require the property owner must hire a licensed professional property management company to manage the property. The Council may grant or deny a temporary license in its sole discretion. Persons requesting a temporary license must make an annual application to the city. No property owner shall hold a temporary license for the same property for more than two consecutive years.

#### **Comments:**

- Councilmember Napier asked how many violations there were and Director Hartshorn said there was none known.

Motion was made by Clpn. Vitelli and seconded by Clpn. Napier to accept staff's recommendation and deny the temporary rental license for property located at 828 Deppe Street as presented. All members present voted aye. Motion carried.

#### **B. Approve Minor Work Orders on Robert St. Phase 1 Improvements - Project #11-3**

This item was moved to the consent agenda and subsequently approved.

#### **C. Ordering Preparation of Feasibility Study for 2018 Street Improvements Project #18-1**

The City Council requested order and preparation of a feasibility study for the 2018 Street Improvements Project. The following streets are proposed for construction improvements:

<b>Street</b>	<b>From</b>	<b>To</b>
Bernard St.	Stryker Ave.	Waterloo St.
Charlton St.	Marie Ave.	Annapolis St.
Felix St.	Emerson Ave.	Christensen Ave.
Christensen Ave.	Emerson Ave.	Rehnberg Pl.
Rehnberg Pl.	Oakdale Ave.	Christensen Ave.
Oakdale Ct.	Oakdale Ave.	Cul-de-sac
Marthaler Ln.	Oakdale Ave.	Emerson Ave.

The feasibility study will recommend a course of improvements for the roadway, any utility improvements; provide cost estimates and preliminary assessment information.

Council comments.

- Clpn. Vitelli asked when work could be done on Livingston. Director Beckwith said from Mendota to Thompson and the goal would be to do the whole stretch in 2019.

Motion was made by Clpn. Bellows and seconded by Clpn. Napier to adopt Resolution No. 17-58 ordering preparation of the feasibility study for the 2018 Street improvements Project #18-1 as presented. All members present voted aye. Motion carried.

#### **D. First Reading - Zoning Ordinance Amendment, Multiple Sections regarding Residential Housing with Services Establishments - City of West St. Paul**

This item was removed.

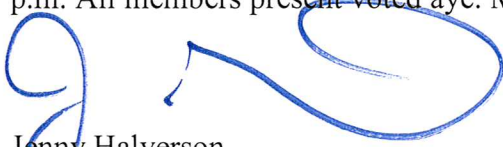
#### **12. Old Business**

There was no old business to discuss.



### 13. Adjourn

Motion was made by Clpn. Fernandez and seconded by Clpn. Iago to adjourn the meeting at 7:15 p.m. All members present voted aye. Motion carried



Jenny Halverson  
Mayor  
City of West St. Paul

**ORDINANCE NO. 17-10  
CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING SECTIONS 72.05(A), 90.04(B), 90.08(A) & (B), 110.03(A), 110.03(A)(7)(b), 110.05(A), 110.10, 112.03, 112.07 OF THE WEST ST. PAUL CITY CODE REGARDING VARIOUS LICENSING AND PERMITTING PROVISIONS**

The City Council of West St. Paul does ordain:

**SECTION 1.** West St. Paul City Code Section 72.05(A) relating to no parking zones is hereby amended as follows:

(A) *No parking, stopping, standing, bus stop zones; other special zones.*

- (1) No Obstructions of Mailboxes. It is unlawful to park any vehicle in such a way as to obstruct a mailbox. The parking of a vehicle within ten feet of a mailbox is an obstruction of the mailbox and a violation of this section.
- (2) Special Parking Zones and Other Special Signs. Upon receipt of an application from an interested resident or upon the City Engineer's own determination, the City Engineer may designate certain streets or portions of streets as "no parking", "no stopping," "no standing" or "bus stop" zones or other special zones that require the installation of a special sign. The City Engineer shall base such determination on the following criteria:
  - (a) There is a specific reason for the request that is clearly in the public interest; or
  - (b) There is an unexpected activity or entry into the roadway that might occur; or
  - (c) There is a potential traffic issue that may be addressed with the special sign or parking zone in order to protect the public health, safety and welfare; or
  - (d) Other criteria are met for the basis of the justification for the sign as identified in the most recent Minnesota Manual on Uniform Traffic Control Devices, published by the Minnesota Department of Transportation.
- (3)
- (4) If a special sign zone approved under Section 72.05(A)(2) is based on an application from an interested resident, the City may periodically request that the requester affirm or certify the continued necessity for the sign.
- (5) If a special sign application is denied, the requester may appeal the denial by serving a written request for a hearing upon the City Clerk within five days of receipt of the written notice. The appeal shall be heard by the City Manager or his or her designee.

- (6) The costs of any special sign approved under Section 72.05(A)(2) must be borne by the requester, which is set forth in the City's Fee Schedule. The requester must also pay for the replacement of damaged, stolen or deteriorating signs.

**SECTION 2.** West St. Paul City Code Section 90.04(B) relating to the special animal permits is hereby amended as follows:

(B) *Special animal permit.* It is unlawful for any person to exceed the number of dogs or cats limited by division (A) above or animals limited by § 90.08 without first obtaining a special animal permit from the Council as provided in this section.

(1) *Application for special animal permit.*

- (a) Application for a special permit must be made to the City Clerk upon a form provided by the city. A completed application, accompanied by the appropriate fee, will be submitted to the City Council for approval.
- (b) The permit shall only be issued after an inspection of the premises and a finding of fact that no nuisance will be created by issuing the permit.
- (c) The Council may impose additional restrictions, limitations, conditions or prohibitions that the Council deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise, odors or annoyance, or to protect the public health, safety or welfare.
- (d) No roosters shall be permitted.

(2) *Permit term.* The annual term of the permit begins on January 1 and ends on December 31 unless sooner revoked.

(3) *Annual fee.* The annual fee for such permit shall be set by City Council resolution. Permit fees will not be prorated for a portion of a year.

(4) *Inspection requirement.* The city shall inspect the premises prior to issuing a new permit and may inspect prior to issuing a renewal permit.

(5) *Notification.* Upon receipt of an initial application, the city shall notify all residential properties within 350 feet of the applicant's property line of the Council's consideration of the special permit.

(6) *Modification or revocation of permit.* Such a permit may be modified or revoked by the appropriate city staff for failure to comply with the terms of this section, or to conform to such restrictions, limitations, conditions or prohibitions imposed by the permit.

(7) *Effective date.* Such modification or revocation shall be effective ten days following the mailing of written notice by certified mail to the permittee.

(8) *Appeal.* The permittee or applicant may appeal the modification or revocation by serving a written request for a hearing upon the City Clerk within five days of receipt of the written notice. The appeal shall be heard by the Police Chief or his or her designee.

**SECTION 3.** West St. Paul City Code Section 90.08(A) and (B) relating to numbers of farm and other small animals is hereby amended as follows:

(A) *General rule.* A person may keep up to the following number of farm or other small animals without a permit:

- (1) Four hen chickens (no roosters), or
- (2) If not chickens, then two farm animals, , or
- (3) Two Vietnamese pot-bellied pigs, or
- (4) Two animals deemed similar by the Police Chief.

(B) A person may keep more than the allowable number of the aforementioned animals if:

- (1) The property upon which the animals are kept is greater than five acres and there is at least 350 feet between the animal enclosure and a residence; or
- (2) A special permit is approved by the Council pursuant to § 90.04(B).

**SECTION 4.** West St. Paul City Code Section 110.03(A) relating to the Licensing Application is hereby amended as follows:

(A) Application for a license must be made to the City's Licensing Department upon forms provided by the city. No license application will be accepted for which licenses are not available.

**SECTION 5.** West St. Paul City Code Section 110.03(A)(7)(b) relating to Refunds for License Fees is hereby amended as follows:

(7) *License fees.* License fees must be paid before the city will grant the license.

(a) *Fee determination.* The fees for licenses are established by City Council resolution.

(b) *Refunds.* License fees are not refundable unless approved by the Council. In addition, specific license fees for which work was performed, such as a background investigation, shall not be refunded.

- (c) *Late fees.* An applicant who submits a completed application to renew a license less than 30 days prior to its expiration date, shall pay a late fee pursuant to the fee schedule, in addition to the license fee.

**SECTION 6.** West St. Paul City Code Section 110.05(A) relating to License Renewal Applications is hereby amended as follows:

(A) *Renewal date.* Licensees must submit their applications for renewal of their licenses at least 60 days prior to its expiration. Failure to submit a renewal application by the expiration date means there is no guarantee of the license being renewed. Thirty (30) days after the expiration of the license, the license will be considered terminated.

**SECTION 7.** West St. Paul City Code Section 110.10 relating to Transfer of Licenses is hereby amended as follows:

A license holder shall not transfer a license to another person or entity. A licensee may not transfer a license to a new location without the prior authorization of the Council. A pre-license inspection may be required prior to the transfer to a new location.

**SECTION 8.** West St. Paul City Code Section 112.03 relating to Liquor License Types is hereby amended as follows:

112.03 LICENSE TYPES.

(A) *On-sale licenses.* No more than 20 licenses will be granted at any time in the city. On-sale licenses issued to clubs (as defined in division (F)(1) below), restaurants, theaters, hotels and bowling centers do not count against the total number of on-sale licenses. Liquor may be consumed on the licensed premises only, which shall be specifically identified in the application. On-sale licenses will be issued only as follows.

- (1) *Category 1.* On-sale licenses may be granted to clubs, restaurants, theaters, hotels and bowling centers. For purposes of this section, a **RESTAURANT** is an establishment where meals are regularly prepared on the premises and served at tables to the general public, as defined in Minn. Stat. § 340A.101, Subd. 25, as it may be amended from time to time. Restaurants must be considered a small, medium or large establishment, as defined by the Minnesota Department of Health.
- (2) *Category 2.* No more than two on-sale licenses may be issued to restaurants, as defined in Minn. Stat. § 157.15, Subd. 12, as it may be amended from time to time, that only have a limited food menu selection. **LIMITED FOOD MENU SELECTION** means that the restaurant provides one or more of the following:
  - (a) Prepackaged food that receives heat treatment and is served in the package;
  - (b) Frozen pizza that is heated and served;

- (c) A continental breakfast such as rolls, coffee, juice, milk and cold cereal;
- (d) Soft drinks, coffee or nonalcoholic beverages; or
- (e) Cleaning for eating, drinking or cooking utensils, when the only food served is prepared off site.

(B) *Off-sale licenses.* Off-sale licenses may be granted to permit the retail sale of alcoholic beverages containing more than 3.2% alcohol by volume in its original container for consumption off the licensed premises only. Such licenses may be issued to drug stores to which an off-sale license had been issued on or prior to May 1, 1994 and exclusive liquor stores.

- (1) *Age verification devices and digital security video.* All license holders shall be required to install or possess age verification devices and digital security video at the licensed location. The Police Department shall confirm that the devices have been installed prior to approval of the license. Such devices shall be maintained in good and proper working order at all times.
- (2) *Annual fee.* The fees for off-sale licenses are established by City Council resolution, however, the annual fee shall be reduced by \$100 if the following conditions are met:
  - (a) The licensee posts a policy requiring identification checks for all persons appearing to be less than 30 years old or less; and
  - (b) The licensee establishes a cash reward and incentive program to reward employees who identify persons underage attempting to purchase alcohol, as well as a penalty program to punish employees who fail a compliance check.

**SECTION 9.** West St. Paul City Code Section 112.07 relating to Transfer of Off-Sale Intoxicating Liquor Licenses is hereby repealed.

**SECTION 10. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance amendments cover numerous areas in the City Code, but can be summarized as follows: No on-street parking shall be allowed within 10 feet of a mailbox; special sign requests shall be considered by the City Engineer; residents shall be allowed up to 4 hen chickens without needing a special animal permit; no notification to neighbors shall be required for special animal permit renewals if there have been no complaints; clarifying that the City will not hold a license application if there are no licenses available for that use; stating that no refunds shall be given for denials of licenses; requiring renewal license applications to be submitted 60 days prior to the expiration of the existing license; removing the ability to transfer off-sale liquor licenses; removing the cap on off-sale liquor licenses; reducing the number of on-sale tavern (limited food menu) licenses from 3 to 2;

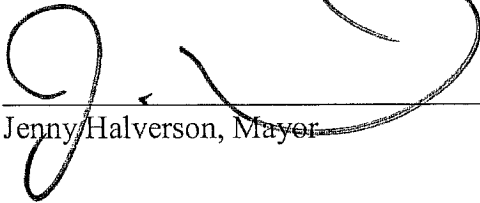
requiring off-sale liquor licenses to install digital security video prior to approval of a new application.

**SECTION 11. EFFECTIVE DATE.** With the exception of the due date for rental license renewal applications which shall go into effect as of November 1, 2018, the remaining provisions of this Ordinance shall be in full force and effect from and after its passage and publication according to law.


Passed this 24 day of July, 2017.

Ayes: 6

Nays: 0

  
\_\_\_\_\_  
Jenny Halverson, Mayor

Attest:

  
\_\_\_\_\_  
Chantal Doriott, City Clerk

On Motion of Clpn. *Napier*

Seconded by Clpn. *1290*

RESOLUTION NO. *17-54*

A RESOLUTION DECLARING CERTAIN PROPERTY  
SURPLUS AND AUTHORIZING SALE AND/OR DISPOSAL THEREOF

WHEREAS, during normal police operations the below listed property has come into the police department's possession and/or is no longer in need of City use:

Vehicles:

2000 Chevrolet Blazer VIN 1GNCT18W7YK256324  
2004 Chevrolet Pickup VIN 1FTPX14514NB36264  
2000 Jeep Cherokee VIN 1J4G2248S9YC118235  
2003 Toyota Corolla VIN 1NXBR32E13Z016404  
2002 Cadillac Escalade VIN 3GYEK63N02G264855  
2000 Chevrolet S-10 Pickup VIN 1GCCS19W4Y8192587  
1996 Cadillac Deville VIN 1G6KD52Y9TU302027  
2004 Chevrolet Malibu VIN 1G1ND52F24M614497  
2008 Nissan Altima VIN 1N4ALZ1E88CZ80137  
2002 Kia Spectra VIN KNAFB121825115822  
2001 Jeep Grand Cherokee VIN 1J4GW48S31C576606  
2003 Chevrolet Cavalier VIN 1G1JC52F037227946

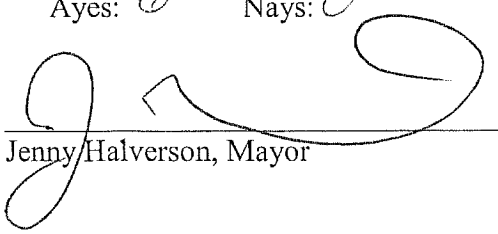
Other Property:

Miscellaneous Tools  
Miscellaneous Jewelry  
Miscellaneous Clothing  
Skateboard  
Minolta Camera

WHEREAS, certain property is no longer needed and has not use for public service, and can be offered for sale and/or disposal;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST ST. PAUL, MINNESOTA the above listed vehicles are declared surplus and authorized to be auction by law with the proceeds of such sales being disbursed as according to law. Adopted by the City Council this 24<sup>th</sup> Day of July 2017.

Ayes: *6* Nays: *0*

  
Jenny Halverson, Mayor

Attest:

  
Chantal Doriott, City Clerk



**CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 17-55**

**A RESOLUTION APPROVING A CONDITIONAL  
USE PERMIT TO ALLOW AN ACCESORY STRUCTURE  
IN A B4 SHOPPING CENTER DISTRICT AT 1445 ROBERT ST. S.  
MENARDS**

WHEREAS, a Conditional Use Permit application has been submitted to the City for properties legally described as:

Lot 1, Block 1 Menards 2<sup>nd</sup> Addition

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on July 18, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.

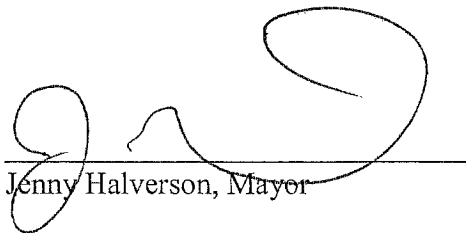
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1445 Robert St. S. requested by Menards is hereby approved subject to the following conditions:

1. Applicant shall apply for the applicable building and sign permits.
2. The property owner agrees that the property is now in compliance with the current zoning ordinance and is no longer a legal non-conformity.

Passed by the City Council of the City of West St. Paul this 24<sup>th</sup> day of July, 2017.

Ayes: 6      Nays: 0

Attest:

  
Jenny Halverson, Mayor

  
Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 17-56**

**A RESOLUTION APPROVING A CONDITIONAL  
USE PERMIT TO ALLOW AUTOMOTIVE DETAILING  
IN A B4 DISTRICT AT 1676 ROBERT ST. -  
WILLIAM L. CHARLES**

WHEREAS, a Conditional Use Permit application has been submitted to the City for properties legally described as:

LOT 3, BLOCK 1 EX N 30 FT, KRAFT 5<sup>TH</sup> ADDITION

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on July 18, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.

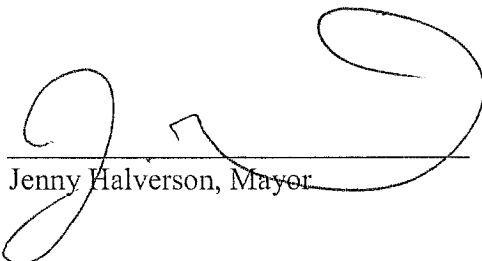
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1676 Robert St. requested by William L. Charles is hereby approved subject to the following conditions:


1. The applicant shall apply for applicable building and sign permits.
2. All vehicle detailing is required to occur within the building, working on vehicles outside the building is prohibited.
3. Other than vehicles, there shall be no storage of items outside the building.
4. A maximum of 10 customer vehicles shall be stored in the parking lot at any given time. Vehicles shall be parked at the rear of the building unless no stalls are available.

Passed by the City Council of the City of West St. Paul this 24<sup>th</sup> day of July, 2017.

Ayes: 6      Nays: 0

Attest:

  
\_\_\_\_\_  
Jenny Halverson, Mayor

  
\_\_\_\_\_  
Chantal Doriott, City Clerk

On Motion of Clpn. *Bellos*

Seconded by Clpn. *Vitelli*

RESOLUTION NO. 17-*57*

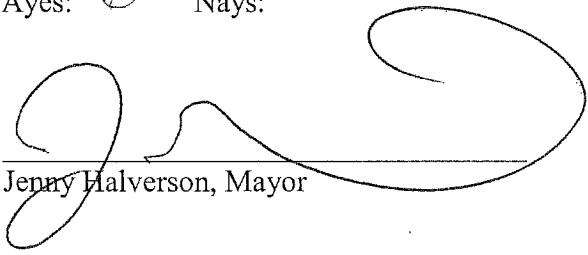
A RESOLUTION ACCEPTING DONATIONS TO THE CITY

WHEREAS, Twin City Tanning Co, LLP, has donated \$300 toward the cost of the Police Department Police Canine Program; and

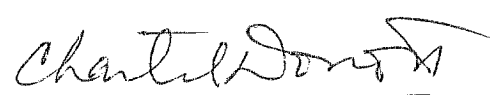
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the above described donation and authorizes City staff to expend these funds in the manner described by this person or organization.

Adopted by the City Council of the City of West St. Paul this 24<sup>th</sup> day of July 2017.

Ayes: *6* Nays: *0*

  
Jenny Halverson, Mayor

Attest:

  
Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 17-59

ORDERING PREPARATION OF FEASIBILITY STUDY FOR 2018 STREET  
IMPROVEMENTS PROJECT #18-1

WHEREAS, it is proposed to improve the following streets by street reconstruction, including aggregate base, bituminous surfacing, concrete curb and gutter and concrete driveway approaches, pursuant to Minnesota Statutes, Section 429.011 to 429.111:

Street	From	To
Bernard St.	Stryker Ave.	Waterloo St.
Charlton St.	Marie Ave.	Annapolis St.
Felix St.	Emerson Ave.	Christensen Ave.
Christensen Ave.	Emerson Ave.	Rehnberg Pl.
Rehnberg Pl.	Oakdale Ave.	Christensen Ave.
Oakdale Ct.	Oakdale Ave.	Cul-de-sac
Marthaler Ln.	Oakdale Ave.	Emerson Ave.

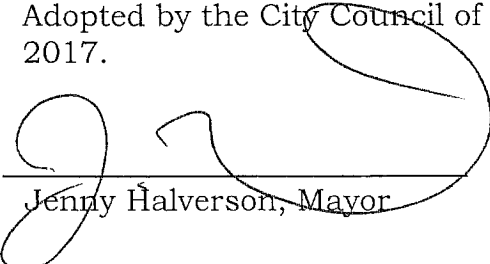
The feasibility report will recommend a course of improvement for the roadways, any utility improvements, provide a cost estimate, and preliminary assessment information.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL, MINNESOTA:

That the proposed improvements be referred to Ross Beckwith, City Engineer, for study and that he is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvements, and the estimated cost of the improvements as recommended.

Adopted by the City Council of the City of West St. Paul this

*24<sup>th</sup> day of July,*  
2017.

  
Jenny Halverson, Mayor

Attest:

  
Chantal Doriott, City Clerk